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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,165	07/14/2005	Tadashi Adachi	02-152-TN	8447

23400 7590 02/01/2007  
POSZ LAW GROUP, PLC  
12040 SOUTH LAKES DRIVE  
SUITE 101  
RESTON, VA 20191

EXAMINER
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MULLINS, BURTON S

ART UNIT	PAPER NUMBER
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2834

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/01/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/542,165

Applicant(s)

ADACHI ET AL.

Examiner

Burton S. Mullins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 5-12 is/are rejected.
- 7) ☒ Claim(s) 2-4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 14 July 2005 and 28 March 2006 have been considered by the examiner.

### ***Claim Rejections - 35 USC § 112***

3. Claims 8-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "the terminal sealing member" lacks antecedent basis.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 and 5-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kajima et al. (JP 2002-119010) in view of Matsuyama (US 6,756,711). Kajima teaches a motor comprising: a motor arrangement 51 (Figs.5-6 show conventional motor of US 5485044, see

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translation p.1); a speed reducing arrangement that includes: a speed reducing mechanism (inherent, Figs.5-6) that decelerates rotation of the motor arrangement; and a speed reducing mechanism receiving portion (housing & electric supply section) 55/53a that receives the speed reducing mechanism; a connector housing (grommet) 57 to which an external connector 56 for connecting with the motor-side terminals is fitted (Fig.5), wherein: the connector housing 57 is formed separately from the speed reducing mechanism receiving portion 55/53a (Fig.6); the connector housing 57 at least includes: a connector supporting member (not numbered, on right side of grommet 57; Figs.5-6) that supports the external connector 55 relative to the speed reducing mechanism receiving portion (Fig.5); and an installation opening sealing member (grommet) 57 that is elastically deformable (inherent to grommet); and the installation opening sealing member 57 is interposed between the connector supporting member (not numbered) and an outer surface of the speed reducing mechanism receiving portion (i.e., electric supply section 53a; Figs.5-6) and is secured to a connector installation opening (not numbered, formed by opening on top of the electric supply section 53a through which connector 56 passes; Figs.5-6) which is formed in the speed reducing mechanism receiving portion 55.

Kajima's motor includes terminals (inherent to connector 48 of US '044; Figs.1-2) for supplying electrical power which are mounted to a brush card assembly 20 (US '044) but does not teach "a control circuit board that is received in the speed reducing mechanism receiving portion, wherein at least motor-side terminals for supplying electric power to the motor arrangement are mounted on the control circuit board as electrical circuit components."

Matsuyama teaches a gear motor 2 including a control circuit board 31 received in a speed reducing mechanism receiving portion 21 and having motor-side terminals 25 mounted to

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the board (c.7:39-41). The integration of the control circuit board in the speed reducing mechanism allows for easier assembly of the motor during manufacture (c.1:35-48).

It would have been obvious to modify Kajima and provide a control circuit board received in a speed reducing mechanism receiving portion per Matsuyama to allow for easier assembly of the motor.

Regarding claim 5, Kajima's connector supporting member can be considered to comprise a "stopper portion" formed by a hole "anchored" or connected to an inner surface of the speed reducing mechanism receiving portion 53a by means of a protrusion (not numbered) on the portion 53a (Figs.5&6).

Regarding claim 6 in Kajima the connector housing 57 includes an inner panel sealing member (not numbered, left side of housing 57; Fig.6); the inner panel sealing member is brought into tight contact with a portion of an inner panel 52 of a vehicle door (Fig.5), which is located around an insertion opening 52a of the inner panel 52 (Fig.5), so that the inner panel sealing member seals the insertion opening 52a of the inner panel (Fig.5); and the inner panel sealing member is made as the same member as the installation opening sealing member (Fig.6).

Regarding claims 7-10, these features are inherent to Kajima's grommet or connector housing 57. The "terminal sealing member" is taken to be unitary with the connector supporting member (not numbered, on right side of grommet 57; Figs.5-6).

Regarding claim 11, Kajima teaches that motor arrangement 54 and the speed reducing arrangement 55 are disposed outside an inner panel 52 of a vehicle door; and the external connector 56 is inserted from inside the inner panel through an insertion opening 52a formed in the inner panel (Fig.5).

Regarding claim 12, the method is inherent in the combination. In particular, the step of “molding the connector housing separately from the speed reducing mechanism receiving portion” is inherent to Kajima since the connector housing 57 is a separate piece from speed reducing mechanism receiving portion 55/53a.

***Allowable Subject Matter***

6. Claims 2-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art does not teach the claimed motor including, inter alia, a connector supporting member formed into a tubular body and includes an annular flange portion, which protrudes outward from an outer peripheral surface of the connector supporting member; and the installation opening sealing member is interposed between the flange portion and the outer surface of the speed reducing mechanism receiving portion, which is located around the connector installation opening (claim 2); or a connector supporting member formed into a tubular body, which has a bottom that includes through holes for receiving the motor side terminals therethrough; and a terminal sealing member is provided around the motor-side terminals, wherein the terminal sealing member is elastically deformable and is pressed against and brought into contact with the bottom of the connector supporting member (claim 3); or “a connector block that supports the motor-side terminals relative to the control circuit board, wherein a terminal sealing member is interposed between the connector supporting member and the connector block, and the terminal sealing member is elastically deformed between the

connector supporting member and the connector block to seal between the connector supporting member and the connector block” (claim 4).

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Burton S. Mullins whose telephone number is 571-272-2029.

The examiner can normally be reached on Monday-Friday, 9 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Burton S. Mullins  
Primary Examiner  
Art Unit 2834